

OFFICIAL MINUTES

MEETING OF THE STATE BOARD OF EDUCATION

BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO

TRUSTEES OF IDAHO STATE UNIVERSITY

TRUSTEES OF LEWIS-CLARK STATE COLLEGE

TRUSTEES OF BOISE STATE UNIVERSITY

STATE BOARD FOR PROFESSIONAL TECHNICAL EDUCATION

TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND

November 18-19, 1999
Lewis-Clark State College
Lewiston, Idaho

Call To Order

The meeting notice was posted and distributed in compliance with Idaho Open Meeting Law requirements. With a quorum present, the meeting was lawfully convened at 8:00 a.m., on November 18, 1999, with Mr. Harold W. Davis, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Harold W. Davis, President
Jerry Hess, Vice President
Tom Boyd, Secretary
Thomas E. Dillon
James C. Hammond
Marilyn Howard, State Superintendent of Public Instruction
Karen A. McGee

Members Absent

Curtis Eaton

All exhibits, appendices and items referenced in these minutes are on file as permanent exhibits with the Office of the State Board of Education.

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Compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the months of November and December, 1999.

<u>Thomas Dillon</u>	<u>Days</u>	<u>Curtis H. Eaton</u>	<u>Days</u>
11/04,11,15,17,18,19	5.0	None	
12/01,13	1.0		
<u>Jerry Hess</u>	<u>Days</u>	<u>Tom Boyd</u>	<u>Days</u>
11/05,17,18,19	4.0	11/03,10,17,18,19	5.0
12/01	.5		
<u>Harold W. Davis</u>	<u>Days</u>	<u>Karen McGee</u>	<u>Days</u>
11/10,17,18,19	4.0	11/10,11,17,18,19	5.0
<u>James Hammond</u>	<u>Days</u>		
11/05,10,17,18,19	5.0		

Non-compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the months of November and December, 1999.

<u>Curtis H. Eaton</u>	<u>Days</u>	<u>Marilyn Howard</u>	<u>Days</u>
11/10	1.0	11/10,17,18,19	4.0
		12/01	.5
<u>Harold W. Davis</u>	<u>Days</u>		
11/04	1.0		

Among the persons meeting with the State Board of Education/Board of Regents of the University of Idaho were:

Office of the State Board of Education

Gregory G. Fitch, Executive Director
Robin A. Dodson, Chief Academic Officer
Kevin Satterlee, Chief Legal Officer
Keith Hasselquist, Chief Fiscal Officer
Mike Killworth, Policy and Planning Officer
Laurie Boston, Public Information Officer
Nancy Szofran, Learning Technology Officer

State Department of Education

Robert West, Chief Deputy Superintendent
Don Robertson, Chief Legal Officer
Allison Westfall, Public Information Officer

Idaho Public Television

Peter Morrill, General Manager

Idaho School for the Deaf and the Blind

Ron Darcy, Superintendent

Division of Professional-Technical Education

Mike Rush, Administrator
Kirk Dennis, Chief Fiscal Officer

Idaho Division of Vocational Rehabilitation

Floyd Young, Administrator
Richard Sloneker, Chief Fiscal Officer

Boise State University

Charles Ruch, President
Daryl Jones, Provost
Harry Neel, Financial Vice President & Bursar
Brent Winiger, Budget Officer

Eastern Idaho Technical College

Miles LaRowe, President
Luke Robbins, Dean of Instruction
Robert Smart, Finance Officer

Idaho State University

Richard L. Bowen, President
Jonathan Lawson, Academic Vice President
Ken Prolo, Interim Financial Vice President

Lewis-Clark State College

James W. Hottois, President
Rita Rice Morris, Provost/Vice President for Academic Affairs
Dean A. Froehlich, Financial Vice President

University of Idaho

Robert A. Hoover, President
Brian L. Pitcher, Provost, Academic Affairs
Jerry Wallace, Financial Vice President

College of Southern Idaho

Gerald Meyerhoeffer, President,
Gerald Beck, Vice President of Instruction
J. Mike Mason, Dean of Finance

North Idaho College

Michael Burke, President
Jerry Gee, Dean of Instruction
Rolly Jurgens, Dean of Administration

Idaho State Historical Society

Steve Guerber

Others

Severina Haws

Judy Meyer

Larry Bird

Mike Stefanic

Dale Gentry

Trudy Bischoff

Jack Curtin

Robert Brown

Elaine Vornholt

William Davis

BOARDWORK

1. Agenda Approval

It was moved by Dr. Howard, seconded by Dr. Dillon and carried (5-0) to approve the agenda for the November 18-19, 1999 regularly scheduled meeting. (Motion #1)

Ms. Severina Haws attended the meeting.

2. Rolling Calendar

It was moved by Mr. Hammond, seconded and carried (7-0) to approve November 16-17, 2000 as the dates and Lewis-Clark State College as the location of the November, 2000 regularly scheduled Board meeting. (Motion #3)

Mr. Hammond asked that meeting dates scheduled in May and August, 2000 on Tuesdays be changed.

It was moved by Mr. Hammond, seconded by Mr. Boyd and carried (7-0) to change the May, 2000 meeting date to May 17-18, 2000. (Motion #4)

It was moved by Mr. Hammond, seconded by Dr. Dillon and carried (7-0) to change the August, 2000 meeting date to August 16, 2000. (Motion #5)

3. Minutes Approval

It was moved by Mr. Hammond, seconded by Mr. Boyd and carried (6-0) to approve the minutes of the August and September meetings. (Motion #2)

Boardwork materials on file as Exhibit #1 with the Office of the State Board of Education.

PERSONNEL/STUDENT AFFAIRS COMMITTEE

1. Minutes of the October, 1999 Meeting

The minutes were approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Davis and carried (7-0) to approve the Personnel/Student Affairs Routine agenda items for the agencies, institutions and OSBE. (Motion #19)

3. Non-Routine Institution/Agency Agenda Items

It was moved by Mr. Davis and carried (7-0) to approve the Personnel/Student Affairs Non-routine agenda items for the agencies, institutions and OSBE except as listed below: (Motion #21)

Idaho State University

Item 2.91 - Request for Approval to Permit the Serving of Alcohol

Ms. McGee said the Alumni House is an historic house off-campus which is used by the alumni, the symphony and other groups. She brought the topic forward at the request of the Symphony Board and other groups who would like to be able to hold receptions at the House.

Dr. Dillon said he understood the request for the Alumni House, but did not understand why the Orthopaedic & Sports Clinic was making the same request. Ms. McGee said the request was from the doctors so they could hold a New Year's Eve dinner and serve wine at the facility before they go to the mini-dome for the millennium celebration. Dr. Bowen said the facility was built with entertainment in mind, but to date has not served alcohol. Dr. Dillon was concerned with the way the request was written as he felt it should stipulate the adult portion of the facility. Dr. Bowen said he would find more suitable wording.

Dr. Bowen said the Alumni House originally had authorization to serve alcohol, but after an accident at the University of Idaho, the governor asked that all authority to serve alcohol on the campuses be removed, with the exception of the residential areas.

Mr. Davis was concerned about liability issues connected with serving alcohol on a publicly-

owned education facility. Ms. McGee agreed and said that was why she wanted the Board to look at each request individually.

Mr. Hess said there is a nationwide attempt by university presidents to eliminate all alcohol on campus and felt Idaho should not be going in the other direction as he was concerned about the message being sent to students. Dr. Bowen said felt the presidents are primarily concerned with binge-type drinking and are working to develop ways to stop it. Dr. Dillon did not feel having a glass of wine at a concert or other event is encouraging student drinking as long as controls are in place.

It was moved by Ms. McGee, seconded by Mr. Hammond and carried (5-2) to approve Idaho State Universities request to permit the serving of alcohol in the Common Areas of the Idaho Orthopaedic & Sports Clinic and the Non-public areas of the Alumni House, with appropriate word smithing by the Deputy Attorney General. (Motion #20)

4. Other

Mr. Davis asked Mr. Boyd and the Legislative Affairs Committee to look into the appointment rotation of Board members, i.e. instead of 2-2-1-1-1 it would be 2-1-2-1-1. He felt the change would strengthen the continuity of the Board.

Dr. Dillon agreed with the change and suggested there be consideration that members be appointed one or two months prior to their effective date in order to give them time to become familiar with the process and issues. Mr. Boyd felt when appointments are made is within the purview of the governor and a recommendation via some type of legislation would cause concern. However, he felt Board members, when they have contact with the governor, should encourage him to do so. Dr. Dillon agreed it would not be appropriate to put it in legislation, but felt encouragement would be appropriate.

5. Management Letters

The letters should be finalized and sent out within a month.

6. UI Personnel Change

Dr. Hoover reported Dr. Jeanne Shreeve has left her position as Vice President for Research and on January 1 will return to the laboratory. A request will be coming to the Board for a special request concerning an appointment they would like to establish at UI.

7. Committee Forum

Dr. Fitch reported:

1. The committee discussed compensation for faculty and staff and will be working with the legislature and governor to address the issue.
2. The committee suggested the student body presidents solicit JFAC for time to present their feelings about fees, activities and support for higher education. Mr. Davis said the institution presidents have invited the student body officers to participate in their respective institutions' JFAC presentations.
3. The committee is continuing to work with the private colleges on issues of interest to all institutions.

Personnel/Student Affairs Committee agenda on file as Exhibit #3 with the Office of the State Board of Education.

ACADEMIC AFFAIRS/PROGRAM COMMITTEE

1. Minutes of the October, 1999 Meeting

Approved in committee.

2. Minutes of August, 1999 CAAP Meeting

Approved in committee.

3. Final Reading: HERC Policy Change

Current Board policy sets the Higher Education Research Council (HERC) membership at eight members. The HERC recommends adding the Statewide Science and Technology Advisor to the committee.

It was moved by Dr. Howard and carried (7-0) to approve for Final Reading the revision to the Board's Higher Education Research Council Policy. (Motion #25)

Mr. Davis asked Dr. Dodson to see that Ms. Boston receives the high points of the changes in time to consider incorporating them into the JFAC presentation.

4. First Reading: Program Approval and Discontinuance Policy Change

GOVERNING POLICIES AND PROCEDURES

SECTION: III - Postsecondary Affairs

SUBSECTION: G - Program Approval and Discontinuance

The requested changes include the delegation of authority to the Chief Academic Officer to approve or deny program requests, consistent with Board policy and the program approval procedures of the AA/PC, as well as to change the fiscal impact statement from \$150,000 to \$150,000 per year, which is consistent with the AA/PC program approval policy manual. Both academic and vocational programs and certificates are affected by the proposed change.

Dr. Howard said the committee discussed the proposed change at length, and it was felt there needed to be a quicker response time to the institutions, recommended approval with authority and peer review adjustments.

Dr. Dodson said the change would be brought back for Final Reading with changes and

clarifications identified by the committee.

It was moved by Dr. Howard and carried (6-0) to approve for First Reading the revision to the Board's Program Approval and Discontinuance Policy. (Motion #26)

5. First Reading: Admission Standards Policy Change

GOVERNING POLICIES AND PROCEDURES

SECTION: III - Postsecondary Affairs

SUBSECTION: Q - Admission Standards

The changes will allow for statewide implementation of admission standards in a consistent manner among the institutions.

It was moved by Dr. Howard and carried (7-0) to approve for First Reading the revision to the Board's Admission Standards Policy. (Motion #27)

6. New Programs

a. ISU - Full Proposal: MS, Computer Information Systems

This was a cooperative degree with the University of Idaho and the Idaho Falls Center. Mr. Hess complimented ISU for bringing forth the program as it would reward both the state and society.

It was moved by Dr. Howard and carried (7-0) to approve the new Master of Science, Computer Information Systems degree at Idaho State University. (Motion #28)

b. ISU - Full Proposal: Reinstatement of ROTC program

It was moved by Dr. Howard and carried (7-0) to approve the reinstatement of the Reserve Officer's Training (ROTC) program at Idaho State University. (Motion #28)

7. Idaho Technology Incentive Grant Program

It is felt that it is time to review the program and implement measures to ensure the goals established by the Board are being addressed, that projects are fully accountable to the Board and that campuses are benefitting by the projects.

Mr. Hess said the initial purpose of the Incentive Grant was to “increase the rate and quality of student learning, to increase faculty productivity, to entreat access to educational programs and to control costs.” He said he has been delighted in the use of some of the funds, but disappointed in the use of some of the other funds, and felt his disappointment was because of problems with the process, i.e. awarding grants that do satellite surveillance of geology and other such programs. He did not feel those types of awards fit the grant purpose and said there are legislatures who are also looking at the issue. Other problems are the excluding of some people from even submitting grant requests.

Mr. Hess said he was greatly distressed that the program had drifted from its original intent. He appealed to Board members to look very closely at the program or the money could be lost. One way to do that would be to write the selection process in a narrower way in order to target specific collaborative efforts between the institutions.

Dr. Dodson said the established goals are good goals, but the mechanics—structure and implementation—needed to change. Mr. Hess said the grant process was structured so that a request which required additional funding could, with that additional funding, span several years. His recommendation was that when the analysis of the grants come back, the Board look at them closely to eliminate those that do not meet the grant intent.

Dr. Dillon said the institutions are unhappy with the process because they have been left out of the selection process, although they do have to sign off on the project. Additionally, money is being spent in little sparks instead of working towards an overall goal. The end result of the committee’s discussion is that the provosts will bring recommendations on changing the criteria so the grants fit the overall plan.

Dr. Howard said the CAAP will meet to review the procedures and will include the community colleges in their discussions. Dr. Dodson said they plan to make recommendations which will bring the program into compliance with its original intent.

Mr. Boyd asked Mr. Hess if he thought this might be a topic that would come up during the JFAC presentation. Mr. Hess felt it might.

8. NASC Reporting of Substantive Changes

With Board approval and encouragement the postsecondary institutions have been collaborating in the development of higher education centers at off-campus sites. Such efforts include the Higher Education Center in Idaho Falls, NICHE in Coeur d’Alene/Post Falls, joint efforts by CSI, BSU, ISU and UI in Twin Falls and planned centers in the Treasure Valley.

Idaho's regional accreditation agency, the Commission on Colleges, Northwest Association of Schools and Colleges (NASC) in the standards and policy manual specifically addresses the establishment of branch campuses. The Commission defines a branch campus as "a location that is geographically apart, independent of the main campus and (1) is permanent in nature; (2) offers at least 50 percent of the courses of an educational program leading to a degree, certificate or other educational credential; and (3) has its own faculty and administrative organization, budgetary and hiring authority." It is the committee's understanding that the higher education centers could be defined as "branch campuses" by the Commission and thus, would require approval by the Commission as a "major substantive change." That approval would also include a Commission site visit within six (6) months of the implementation of such a center. As of this date, neither the Board nor its institutions have sought NASC approval.

The committee recommended that the CAAP study the issue and contact the NASC to determine the options available to meet the Commission on Colleges requirement for the branch campus standard and bring a report to the Board in January.

There was discussion regarding recent accreditation visits. Dr. Dodson said the preliminary reports were favorable and that the final reports will be made available within a few weeks.

9. Idaho Virtual University Consortium

In the spring of 1999, the Board endorsed the Presidents' concept of a "virtual university." The CAAP was assigned the responsibility of developing, planning and implementing the concept.

Ms. Szofran said they have begun analyzing the policies, courses, enrollment fees and program relationships with each being broken down by discipline, by program, by delivery method and by receiving sites. She has talked to the consultants and they are beginning to construct the base of their report. A part of the report will include costs, cost modeling and a cost-value analysis. The overall report will cover four areas: current status, priorities for further action, a time line for the possibilities of further actions and recommended action steps.

10. Program Review Update

Dr. Dodson said the presidents are currently working on professional program reviews in the areas of law, medicine, science and technology and education. However, in working on the reviews, it was discovered that the institutions have differing ways of submitting information.

The CAAP and the public postsecondary institutional research officers responsible for CIP codes and program inventory met on November 9 to resolve the reporting errors and agreed on a

procedure for program inventory reporting. When the program inventory is complete and an analysis has been made by Board staff, a report will be brought to the Board (probably in January).

11. Teacher Education Report Cards - Title II

In 1998, Title II of the Higher Education Act was amended to require states to publish annual report cards on its teacher education programs beginning April, 2000. Areas to be addressed are: low performance and at-risk programs, which are to be reported to the U.S. Department of Education. Dr. Fitch has assigned the Academic Affairs Officer to facilitate Idaho's efforts to comply with the requirement. Status reports will be brought to the Board in January and in March.

12. Other

Governor Kempthorne has appointed Dr. Billy Shipp, General Manager of the INEEL, as the Science and Technology Advisor. Dr. Howard asked that the OSBE staff invite Dr. Shipp to meet with the Board.

Mr. Davis asked that the new director for the U.S. Department of Energy be invited to the April meeting, and asked Dr. Fitch to work with Dr. Hoover on the invitation.

Academic Affairs/Program Affairs Committee agenda on file as Exhibit #5 with the Office of the State Board of Education.

FINANCE COMMITTEE

1. Minutes of the October, 1999 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Hess, seconded by Dr. Dillon and carried (7-0) to approve the Finance Committee Routine agenda items for the Idaho School for the Deaf and the Blind, Boise State University and the University of Idaho. (Motion #6)

3. Non-Routine Institution/Agency Agenda Items

Boise State University

Item 4.81 - Citadel Radio Center Contract

It was moved by Mr. Hess and carried (7-0) to approve the request from Boise State University to enter into a two-year licensing contract with Citadel Radio Center for radio broadcast of certain Boise State athletic events. (Motion #7)

Item 4.82 - Retlaw Broadcasting Contract

It was moved by Mr. Hess and carried (7-0) to approve the request from Boise State University to enter into a four-year licensing contract with Retlaw of Boise, LLC for television broadcasting of certain BSU athletic events. (Motion #8)

University of Idaho

Item 4.8.1 - Banking Services, Automated Teller Machines & Purchasing Card Program

It was moved by Mr. Hess and carried (7-0) to approve the request from the University of Idaho to execute agreements with financial institutions for the provision of banking services. (Motion #9)

Item 4.8.3 - Financing Package in support of the FY00 Institutional Capital Plan

The committee asked the institutions to prepare, in consultation with Deloitte & Touche, a

spreadsheet showing all revenues, expenditures and bond indebtedness; included will be software that will allow members to play out various “what if” scenarios.

It was moved by Mr. Hess to approve a supplemental resolution of the Regents of the University of Idaho authorizing the issuance and sale of Student Fee Revenue Bonds, Series 1993 and an issuance and sale of Student Fee Revenue Bonds, Series 1999D. **A roll call vote was taken.**

AYES: Ms. McGee, Mr. Hammond, Dr. Dillon, Dr. Howard, Mr. Hess, Mr. Boyd, Mr. Davis

NAYS: None

ABSTAIN: None

ABSENT: Mr. Eaton

The motion carried. (Motion #10)

Item 5.41 - Projects in Support of Institutional Strategic Plan and Long-Range Capital Development Plan

It was moved by Mr. Hess and carried (7-0) to approve the request from the University of Idaho of construction projects in support of the University Strategic Plan and the Long-Range Campus Development Plan, together with approval to execute necessary or desirable architectural/engineering services and construction contracts to accomplish the projects as stated in the exhibit. (Motion #11)

Item 5.8.1 - Naming of Spaces in the Idaho Commons

Mr. Satterlee said the Board had the authority to delegate to the presidents the authority to name rooms and spaces; however, they are bound by Board criteria.. Mr. Hess suggested a policy change be made that would delegate the authority to name rooms and spaces to all of the presidents. Dr. Dillon agreed and felt the overall policy should be reviewed.

It was moved by Mr. Hess and carried (7-0) to approve the request from the University of Idaho for naming rooms and spaces in the Idaho Commons as proposed in the exhibit, and to delegate authority to the President of the University of Idaho the authority to approve the naming of various additional rooms and spaces in the Idaho Commons in recognition of gifts. (Motion #12)

Item 5.1.0 - Expansion of UI Boise Center Lease at M-K Plaza

It was moved by Mr. Hess and carried (7-0) to approve the request from the University of Idaho to authorize the Vice President of Finance and Administration to negotiate and execute a lease with American Resurgens for additional space in the M-K Plaza IV in Boise. (Motion #13)

4. Annual Financial Audit by Deloitte & Touche

Mr. Larry Bird of Deloitte & Touche appeared before the Board and responded to questions from members.

Mr. Boyd asked Dr. Ruch if, considering the work going on in Canyon County, BSU expects its bond indebtedness to increase. Dr. Ruch responded that the current plan is not to fund construction on that campus through bonds, but to use a combination of private and state dollars to build the first building. A proposal for construction of a second building will be sent to the federal government

It was moved by Mr. Hess and carried (7-0) to accept the FY99 financial audit reports for the University of Idaho, Boise State University, Idaho State University, Lewis-Clark State College and Eastern Idaho Technical College as presented by Deloitte & Touche. (Motion #14)

Mr. Davis asked Mr. Bird about the status of the 600 hour bank. Mr. Bird said he would be preparing a report for Mr. Hasselquist that would include how many hours were used and how they were used, and what, if any, would be carried over to 2000.

5. PeopleSoft Software Implementation at Boise State University

At the June 1997 meeting, the Board approved BSU's request to contract with PeopleSoft for an integrated management information system. At that time it was indicated the system would cost \$1.8M in license fees, \$1.6M in maintenance fees and \$2.5M in consulting fees. At the October 1998 meeting, the Board approved the request from BSU to increase the contract with PeopleSoft by \$590,000 for Advancement software and by \$850,000 for a six-year maintenance plan. At the June 1999 meeting, the Board approved a request from BSU to enter into a financing agreement with PeopleSoft to fund up to \$5.3M in future enhancement implementation and prepaid maintenance support. Also at the June meeting, BSU presented a report on the cost of implementing Project Access (PeopleSoft) and as a result, the Board asked Deloitte and Touche to review the contract with PeopleSoft. An engagement letter was developed that defined the scope of the review.

The review has been completed and the report sent to Board members. The report identifies the fiscal impact of purchasing and implementing Project Access at Boise State University.

It was moved by Mr. Hess to ask BSU to conduct an inquiry of its own using this report as a starting point. Ask BSU to respond to the various findings in the report and make a presentation to the Board as soon as possible, perhaps in January. Whether that report is or is not a matter properly brought into an Executive Session is something that Mr. Satterlee should help answer. BSU's report

should additionally identify the actions that BSU has initiated either from its own review or as a result of the findings of the Deloitte & Touche report. There are specific matters that should be included in the BSU report back to the Board. First, specific confirmation or refutation of the observations of the report beginning on Page 25, ending on Page 30 (15 observations) should be included. Second, a detailed source of funding for the project should be presented. The categories on Page 24 of the report should be seen as headings for a more detailed description of the sources of funds that should also be a part of the BSU report. The report should include a statement about why there was no discussion with the Board relative to the matters in the Deloitte & Touche report until it was made an issue in the Finance Committee in June of this year. Also, the reinstatement of the Steering Committee with definitive job descriptions and the inclusion of a member of the State Board of Education staff, as designated by Mr. Fitch, to be a part of that Steering Committee. **The motion was amended** to exclude the sentence “Whether that report is or is not a matter properly brought into an Executive Session is something that Mr. Satterlee should help answer.” **The amended motion carried (7-0).** (Motion #15)

It was moved by Mr. Hess, seconded by Mr. Hammond and carried (7-0) to accept the draft of the Idaho State Board of Education/Boise State University PeopleSoft Implementation Review with the word smithing that has been discussed. (Motion #16)

Mr. Bird was asked to submit a final document with the recommendations in Mr. Eaton’s letter omitting three or four items.

6. First Reading: Intercollegiate Athletics

GOVERNING POLICIES AND PROCEDURES
SECTION III - POSTSECONDARY AFFAIRS
SUBSECTION T - Intercollegiate Athletics

It was moved by Mr. Hess and carried (7-0) to approve for First Reading the changes to Section III., T. Intercollegiate Athletics. (Motion #17)

7. First Reading: Fee Waivers

GOVERNING POLICIES AND PROCEDURES
SECTION V - FINANCIAL AFFAIRS
SUBSECTION U - Fee Waivers

Requested changes to exhibit:

U.2c - addition to the phrase “and related high-tech disciplines” after the first two instances of the words “information technology.” Mr. Hess said the definition of information technology could change and the addition of the phrase would give the institutions greater flexibility.

Mr. Davis asked for clarification of the word “related.” Mr. Hammond responded that it would keep the waivers in the area of hard science and not in other technology areas.

It was moved by Mr. Hess and carried (7-0) to approve for First Reading the change in policy increasing the number of nonresident tuition waivers with changes as detailed in the exhibit. (Motion #18)

8. Permanent Building Fund Advisory Council

As the Council did not approve the Board’s recommendations, Mr. Hess felt there should be a visit by some member(s) of the Board to try to determine why the recommendations were not approved. Mr. Davis agreed and asked for suggestions on how to do it. Mr. Hess suggested the chair or a committee chair meet with the Council in the near future to discuss the issue. Dr. Dillon felt there should be a meeting as a reaction to what has happened, but the Board should look at the system, i.e. having an in-house facilities inspector to keep track of requests. Mr. Davis said he and Dr. Fitch would contact the Council and report back in January.

Finance Committee agenda on file as Exhibit #s2, 12, 13, 14 & 15 with the Office of the State Board of Education.

LEGISLATIVE AFFAIRS COMMITTEE

1. November 10 Videoconference Review

Exiting Standards

The majority of time at the three sites was spent discussing exiting standards. One of the problems that became apparent was that legislators are at different levels of understanding the standards. There was consensus that more information needed to be given to legislators.

The education committees will hold joint exiting standards hearings January 17-19, 2000 in the Gold Room. The members of the Legislative Affairs Committee and the commissioners are planning to attend the hearings.

School Facilities

Mr. Boyd, who was on the Governor's Statewide School Facilities Committee, said there was no interest in the state funding school buildings nor was there interest in lowering the super-majority to 60 percent. Dr. Dillon felt the only solution was the Deide/Twiggs bill and suggested the Board go on record as supporting it. The bill, as written last year, authorized school board trustees, if necessary, to go to a judge and get an order requiring a local district to repair critical safety problems. Mr. Boyd said this year's legislation may not be the same as that proposed last year, but it should be similar.

Mr. Davis asked what school districts would have been impacted by the bill had it been in place two years ago. Mr. Boyd did not have that information, but said it could be obtained and given to Board members. Mr. Davis asked if the bill had a provision that there had to be condemnation by appropriate authorities. Mr. Boyd said it did, that an inspector determines the problem and advises the school board.

Mr. Davis said he had tried to get written documentation that there are problems in the Troy High School, but has not been able to get anyone to give it to him. He did not doubt there are problems, but was concerned that no one was willing to condemn a school and felt any legislation should address the inspection process.

Mr. Boyd thought the only person who can condemn a school building is a fire marshal; however, they usually live in the community and that makes it difficult to make that decision. Dr. Dillon agreed with Mr. Boyd and felt the proposed legislation would help to address that situation.

It was moved by Dr. Dillon and seconded by Mr. Boyd that if, in fact, the Deide/Twiggs bill is reintroduced in substantially the same form, that the State Board of Education go on record to support that legislation. **The motion was withdrawn.** (Motion #30)

Mr. Hammond felt the Board should look at a broader motion than Motion #30. A motion which would support any legislative efforts to force local districts to correct life safety problems in their schools. Dr. Dillon said he would agree.

Mr. Boyd said the Legislative Affairs Committee will contact Board members if some type of legislation is introduced, or if there are any ramifications to Motion #31.

Mr. Davis asked how a school district could be forced to remediate problems, particularly when it does not have the money. Mr. Boyd replied that a judge ultimately would enforce it, but he did not know how that would be done.

It was moved by Mr. Hammond and seconded by Dr. Dillon that the State Board of Education go on record as supporting any efforts and any legislation that would force local school districts to remediate any life safety problems that are apparent in their school facilities. **The motion was amended to remove the word “force” and include the phrase “enables the ability of the local school district to fix the life safety problems.”** The amended motion carried (7-0). (Motion #31)

Pre-Legislative Update

Mr. Boyd said there will probably be several more education bills.

Tobacco Funds

A letter was sent to the Governor by the Board president requesting the funds be given to education. Mr. Boyd said there appears to be a movement towards putting the funds into trust and allocating the income through the appropriation system.

Other

Mr. Davis felt the Legislative Affairs Committee has been a success for the Board and suggested the Board now look at how to improve its relationship with the Permanent Building Fund Council.

Legislative Affairs Committee agenda on file as Exhibit #6 with the Office of the State Board of Education.

70 PERCENT COMMITTEE

1. Minutes of September, 1999 Meeting

Approved in committee.

2. Corrections Education

The charge of the subcommittee was to improve educational services for people in the correction system, both juvenile and adult.

As Mr. Roy Mosman was unable to make the meeting, Dr. Mike Rush gave the Board the report on corrections education. Dr. Rush reviewed the issues, assets, needs and recommendations of the subcommittee.

Dr. Dillon said that while the correction budget itself has increased, the education component of that budget has decreased, and that Idaho is last in the nation in the proportion of the corrections budget used for education. The recidivism rate is 30-40 percent and the only thing that impacts it is education—which brings it down to 12 percent. With the Department of Juvenile Corrections (DJC) budget approaching that of the Division of Professional-Technical Education (DPTE), the Board needs to look at ways to address the education issues. Mr. Hess felt it might take a legislative mandate to specify a portion of the budgets for education.

Mr. Boyd asked Dr. Rush if there were some way to join the DPTE and DJC budgets. Dr. Rush did not think there would be, but felt the DPTE could be a resource to the DJC.

It was moved by Mr. Hammond, seconded by Dr. Dillon and carried (7-0) to continue the Corrections Education Subcommittee to define the key issues identified in the recommendations, implement the recommendations as appropriate and develop additional recommendations to propose to the appropriate agency, be that Juvenile Corrections, adult corrections or State Board of Education. The committee will function for one year, will report to the 70 Percent Committee and then be reviewed. The committee will consist of the Corrections Subcommittee and additional members from the Department of Labor and Legislative Education Committee. The initial meeting will be to develop a budget, identify funding resources and report back to the Board. (Motion #22)

3. Cooperative Service Agency

Some school districts that are implementing professional-technical school activities are choosing to do so as cooperative service agencies instead of creating schools at separate physical sites. By-laws

were prepared by the cooperating districts and were submitted to the Board for action.

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (7-0) to approve the Cooperative Service Agency at Riverbend Professional-Technical School, subject to final approval by counsel for the Idaho Department of Education. Approval of counsel is conditioned on amending the duration to clarify either 15 years or perpetual and further defining the percentage of each member's contribution to the total financing of the professional-technical school. (Motion #23)

4. Workforce Investment Act

Mr. Hammond said the Workforce Investment Act imposes reporting requirements that will impact Idaho's postsecondary institutions that are not consistent with existing data systems or other federal laws that also require reporting performance data. They are looking for joint planning and the opportunity to discuss the issue with the feds on greater flexibility in reporting data.

Ms. McGee said the Workforce Development Council will also endorse the request. She will be in Washington, D.C. in December and will carry the request forward.

It was moved by Mr. Hammond, seconded by Dr. Dillon and carried (7-0) to endorse greater flexibility in reporting educational performance and cost information under the Workforce Investment Act. (Motion #24)

5. Other

Mr. Hammond reported:

1. Devere Burton gave the committee a progress report on the professional-technical schools that are now operating in Idaho.
2. Dr. Rush gave a report to the committee on Minority Recruitment Retention. A final report will be presented at the next committee meeting.
3. The committee is focusing on budget issues which will go before the legislature this year.
4. A Minority Education Subcommittee report was given. They will meet again in December, then bring a report to the Board.
5. The committee supports the changes to the Displaced Homemaker Act.

70 Percent Committee agenda on file as Exhibit #4 with the Office of the State Board of Education.

OTHER

2. Open Forum

There were no speakers.

2. Strategic Plan

Draft 9 of the Board's Statewide Strategic Plan was reviewed at the October meeting. Suggested changes were incorporated and Draft 11 was presented to the Board at the November meeting. Mr. Killworth reviewed the changes to Draft 9.

Performance measures beyond the eleven measures adopted by the presidents for postsecondary education will begin with the adoption of the new strategic plan and will be completed by May 2000. The eleven measures adopted by the presidents were presented to the Board for adoption.

It was moved by Mr. Hess, seconded by Mr. Boyd and carried (7-0) to approve the request to adopt Draft 11 as the Idaho State Board of Education Statewide Strategic Plan, 2000-2005. (Motion #32)

It was moved by Mr. Hess, seconded by Ms. McGee and carried (7-0) to adopt the eleven postsecondary performance measures developed by the Presidents Council for inclusion in the strategic plan appendix. (Motion #33)

It was moved by Mr. Hess, seconded by Dr. Dillon and carried (7-0) to direct the Board staff to develop, in collaboration with the Presidents/Agency Heads, agency/institution additional agency/institution unique performance measures to be brought back for Board approval and input prior to final Board approval, May 2000 to be included in the Board strategic plan appendix. (Motion #34)

Exhibit #7

3. Executive Session

It was moved by Dr. Dillon and seconded by Mr. Hammond to enter into Executive Session, per *Idaho Code*, 67-2345, (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public school students; (d) to consider records that are exempt by law from public session and, (f) to consider and advise its legal representatives in pending litigation or where there is a general public

awareness of probably litigation. **A roll call vote was taken. The motion carried (7-0).** (Motion #35)

AYES: Mr. Hammond, Dr. Dillon, Dr. Howard, Mr. Hess, Mr. Boyd, Ms. McGee, Mr. Davis

NAYS: None

ABSTAIN: None

ABSENT: Mr. Eaton

The board discussed the following topics:

1. Human rights complaint filed against an employee.
2. Charter School Appeal - legal advice in preparation for hearing. Parameter to appeal the process and conduct.
3. Appeal procedure for dismissed employee.
4. Confidential personnel matter.

No decisions were reached.

Minutes of Executive Session taken by Dr. Greg Fitch.

4. Breckenridge Charter School Appeal

No transcription. A tape of the proceedings is located in the file.

5. Idaho's Most - Standards

Dr. Patty Toney read a memo dated November 17 from Mr. Keith Fletcher, chair, Idaho's Most Standards Committee. A copy of the memo will be sent to Board members.

Dr. Toney updated the Board on Idaho's Most standards writing process in the areas of Core Teacher Education, Language Arts, Math, Science and Professional-Technical Education.

Mr. Davis asked Dr. Fitch and Dr. Toney to prepare a letter of endorsement of the standards.

Mr. Hess asked Dr. Toney how much time the Board would have to give feedback on the draft standards. Dr. Toney asked that input be to her office by the next Board meeting. Dr. Dillon suggested to Dr. Toney that when she comes back with the standards, she come back with a motion that the Board accepts conceptually, and not try to come back with all the answers at that time. Mr. Hess felt the motion was needed today.

It was moved by Dr. Dillon, seconded by Ms. McGee and carried (7-0) to accept the recommendations with the understanding that as they are developed in implementation, those specific items will be brought back to the Board. (Motion #36)

Mr. Hammond said there were concerns that the Idaho's Most Advisory Group did not have a representative from the Idaho Education Association (IEA) on it. Mr. Hess said the original makeup of the Group was carefully considered and while input from all stakeholders is wanted, it was not felt the IEA or other groups within the system should have membership. Dr. Dillon felt there should be representation, but it should be balanced. Mr. Davis felt other groups should also be represented, perhaps on a rotational basis with the IEA.

Dr. Toney said there is a perception among teachers that they have been excluded from the standards process. She felt that if the standards are to succeed, teachers needed to be involved. Mr. Hess agreed, but was concerned about maintaining a balance on the committee. He was also concerned about issues with the Professional Standards Commission that have not been resolved.

It was moved by Mr. Hammond and seconded by Mr. Hess to modify the membership of Idaho's Most Advisory Group to include the president of the Idaho Education Association. **The motion was withdrawn.** (Motion #37)

It was moved by Dr. Dillon, seconded by Mr. Hess and carried (7-0) that a practicing teacher, to be determined by the members of the Idaho's Most Committee, be selected to serve on board. (Motion #38)

Mr. Hammond said a House Education Committee member, should Motion #39 pass, would be invited by the Advisory Board to serve. However, the House Ed chair would first be consulted and asked to either serve or nominate someone.

It was moved by Mr. Hammond, seconded by Mr. Hess and carried (7-0) to ask a member of the House Education Committee to serve on the What Matters Most Advisory Board. (Motion #39)

Exhibit #8

6. Delegation of Authority

Mr. Satterlee said while there may be some limitations on the delegation of authority on a case-by-case basis, the Board, in general, has the authority to make the delegation.

Dr. Dillon said he was making Motion #45 with the understanding that the Department would be vigilant in finding situations where a student could be better educated by moving to another school, and that such a situation would be brought to the Board.

It was moved by Dr. Dillon, seconded by Mr. Hammond and carried (7-0) to delegate the authority, pursuant to the attached resolution, to approve the operation of schools with less than ten pupils to the Superintendent for Public Instruction. Additionally, the Superintendent shall provide a report to the Board in September, annually, listing the schools that have requested to operate with less than ten pupils and whether approval was granted. (Motion #45)

Exhibit #10

7. University of Idaho - Athletic Conference Report

Dr. Hoover gave an overview on the discussions regarding UI conference affiliation. He said that just when the UI football team gained its full Division 1A membership, the Big West Conference lost all but two of its football-playing members. Therefore, as of July 1, 2001, they will no longer meet Division 1A football criteria for having six football-playing members in the league.

In recent weeks, the University of Idaho and Utah State University have received invitations to join the Sun Belt Conference for football only; all other sports will stay in the Big West. In response to the invitation, the UI requested more time to consider the invitation. While at that time the Sun Belt officials could not consider giving the UI more time, they said they would discuss the UI's membership in the near future.

The UI has two choices: the Sun Belt or independent status. The evaluation of the options, based on which would best serve the UI's long-term interests, the ability to schedule games, bowl games and recruitment of athletics led to the conclusion that it is necessary for the UI to consider the Sun Bowl. The UI will continue to play regional games with institutions such as Boise State University.

Dr. Hoover said the UI is prepared to pursue an affiliate relationship in football as a football-playing member of the Sun Belt Conference in the short-term and asked for Board approval to accept an invitation if it is made in the near future.

It was moved by Mr. Hammond and seconded by Ms. McGee to allow the University of Idaho to accept the invitation to join the Sun Belt Conference for football, beginning with the 2001 season. **The motion was amended to** include two stipulations:

1. For three years, a fiscal report compared with the projected income will be brought to the Board.
2. There will be a home-and-home schedule with Boise State University.

The amended motion carried (6-0-1). (Mr. Hess abstained.) (Motion #46)

Exhibit #11

8. Good of the Order

JFAC

Mr. Davis asked Board members to submit JFAC recommendations to Ms. Boston

EPSCoR

Ms. McGee attended the EPSCoR convention. The common message at the meeting was that research dollars lead directly to economic development.

Exhibit Materials on file with the Office of the State Board of Education.

STATE DEPARTMENT OF EDUCATION

A. Interim Report on UI Teacher Education Programs

In June a report by the team that reviewed the teachers' programs at the University of Idaho was given to the Board by Dr. Mike Stefanic. After reviewing the recommendations, the Board asked that an interim report on the progress of specific recommendations be made before the end of the year.

Faculty in the Colleges of Agriculture, Education, and Letters and Sciences reviewed the recommendations to assure the programs meet the standards used for program review.

Dr. Dale Gentry presented the status of the recommendations:

- A. An advisory committee has been formed and has scheduled its first meeting.
- B. Inclusion of exceptional learners has been included in two of the four CORE curriculum courses; the other two will be included as they come online.
- C. The faculty of the Communications Department has approved a course required for teacher education majors and a correlated practicum.
- D. The faculty of the Home Economic Unit has approved coursework that specifically has housing and family issues in it; and has integrated health issues into several other required courses.
- E. The faculty of the School of Music has planned a revision of course work to include both vocal and instrumental music.
- F. The chair and faculty of the Department with the math educator of the College of Education have agreed to infuse History of Mathematics into three or four mathematics and mathematics methods courses.

B. Professional Standards Commission Nominations

Idaho Code 33-1252 provides a specific breakdown of the membership required on the Professional Standards Commission (PSC). The PSC submitted the nomination of Dr. George David Dean to fill a term that has become vacant.

It was moved by Dr. Howard and carried (7-0) to approve the request by the Professional Standards Commission to approve the nomination of Dr. George David Dean as submitted, to be appointed to the Professional Standards Commission for the remainder of a three-year term, effective July 1, 1997 through June 30, 2000. (Motion #40)

C. Proposed Rule on PSC Manual

At the June meeting of the SBOE, a temporary rule was approved for the certification manual. At that meeting several proposed certificate and endorsement changes were presented as information items. Public hearings on the proposed change were held and input from the hearings was presented to the PSC, which gave its final approval. The items were approved by the SBOE in August, subject to completion of the Idaho Administrative Procedures Act process.

Upon approval by the SBOE, the proposed rules will be included in the Administrative Bulletin in time for final consideration by the 2000 Legislature. Final approval by the legislature of the certificate and endorsement changes will authorize them to be included in the certification manual.

Dr. Stephanic reviewed the proposed changes and said all responding stakeholders supported the them.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (7-0) that subject to the outcome of the APA process, the State Board of Education approve the proposal regarding Administrator Certification for Principal, Superintendent and Director of Special Education and Related Services, Pre-K-12; Early Childhood/Early Childhood Special Education Blended Certificate (Birth-Grade 3); and endorsement requirements for Family and Consumer Science and School Nurse. (Motion #41)

D. Letters of Authorizations

On November 4, the PSC approved eighteen Letters of Authorization. The SDOE recommended approval of the LOAs as submitted. Of the eighteen letters, seven are for special education teachers; six are for counselors; two each are for elementary and secondary subject areas; and one is for a speech therapist.

Mr. Hess asked if repetitions of the same candidate were tracked or monitored and, if so, how long they are tracked. Dr. West said they did track and monitor the candidates. Mr. Davis asked if the report format column that indicated "R" for renewal could be modified to "R-3" or whatever is appropriate to indicate the year. Dr. West said it could and they would do it.

It was moved by Dr. Howard, seconded by Dr. Dillon and carried (7-0) to approve the requests for Letters of Authorization as submitted by the Professional Standards Commission and listed on the attachment. (Motion #42)

E. Alternate Certification Report

In October, when the Board approved Letters of Authorization, Mr. Hammond requested a

report on the people who have been given LOAs who are not fully certified. Dr. Stefanic and Trudy Bischoff reviewed the report and responded to Board members' questions.

The purpose of the program is to provide an alternative for individuals to become certificated secondary teachers in Idaho without following the standard teacher education program. Qualified applicants will begin a contract for teaching early and will be admitted to the program using criteria that differ from existing programs, but are more appropriate for the circumstances.

Dr. Stefanic said the program is in place and is working well. However, there is another part to the Alternate Certification Program—Consultant Specialists—that needs review. Ms. Bischoff, chair of the PSC, said the PSC has concerns that the program is not meeting the Idaho's Most goal of putting quality teachers in every classroom, i.e. the large number of Consultant Specialists. She was concerned that many people were being used as Consultant Specialists who did not meet the "uniquely and highly qualified" criteria, and said the PSC would like to work with the SBOE to address abuses to the program.

Dr. West said one of the concerns is the ease with which the Consultant Specialist designation is obtained, i.e. it is requested and must be issued as the SDOE does not have the authority to refuse the application. He said he was particularly concerned about Consultant Specialist designations being given to Special Education teachers, primarily because of federal compliance requirements. Another concern was that people were taking the Consultant Specialist route rather than applying for a Letter of Authorization. He felt there may need to be a rule change to more specifically define the purpose for Consultant Specialist approval.

F. SDOE Organizational Chart

The SDOE has changed its administrative structure by eliminating two divisions and by increasing the number of bureaus; thereby, flattening the hierarchical arrangement. Enhanced direct supervision by bureau chiefs with fewer levels of authorization and expeditious approval has been the effect. Regular collaboration among bureaus has produced functional project teams operating across transparent section boundaries to support school districts, and effectively plan and produce results.

It was moved by Dr. Howard, seconded by Ms. McGee and carried (7-0) to approve the re-organization of the State Department of Education as submitted in the chart. (Motion #43)

G. Exiting Standards Update

Ms. Lydia Guerra said the Exiting Standards Commissioners are working to ensure everything

is in place for the upcoming legislative session. They will bring the draft implementation plans to the Exiting Standards Committee, who will bring them to the Board.

H. Final Rule: Reading Assessment Results

GOVERNING POLICIES AND PROCEDURES

SECTION: IV - Agency Affairs

SUBSECTION: B - State Department of Education

It was moved by Dr. Howard, seconded by Mr. Hess and carried (7-0) to approve the proposal as a Final Reading for the new State Board policy as presented for Reading Assessment Results. (Motion #44)

I. Smart Start Conference Report

Ms. Judy Meyer gave a presentation to the Board on her findings at the Start Smart Conference on early brain development, which was held in June.

J. Superintendent's Report

Legislation

Dr. Howard said the SDOE is working on legislation to clarify in *Idaho Code* what constitutes an elementary school and what constitutes a secondary school.

School Safety

A brochure, developed and distributed by the SDOE to support local districts in the area of school safety, was given to Board members.

Teacher of the Year

Idaho's Teacher of the year for 2000 is Ms. Nancy Larsen, a second-grade teacher at Ramsey Elementary School in Coeur d'Alene. A reception will be hosted for Ms. Larsen on February 23 in Boise. Invitations will be sent to Board members.

Reading Initiative

The Reading Initiative establishes expectations for what students should be able to read or recognize about reading in kindergarten or the primary grades; and there are tests to determine if children are meeting the expectations.

They are moving ahead with all curriculum areas in grades, K-8 as a prelude for standards established for high school. Currently being developed are benchmark tests for grades four and eight, with the goal of curriculum alignment and monitoring of a child's progress.

K. Other

Dr. Howard said she did not agree with a recent report giving Idaho teachers low grades. She felt Idaho is doing fine and is moving ahead addressing the issues of standards and accountability.

Agenda and materials on file as Exhibit #9 with the Office of the State Board of Education.

ADJOURNMENT: November 18, 4:15 p.m.
November 19, 12:15 p.m.

CERTIFICATION:

To be best of my knowledge, these minutes constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker